

Message Text

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51

ORIGIN ARA-20

INFO OCT-01 ISO-00 EB-11 L-03 AGR-20 SPC-03 AID-20 NSC-10

RSC-01 CIEP-02 TRSE-00 SS-20 STR-08 OMB-01 CEA-02

CIAE-00 COME-00 FRB-02 INR-10 NSAE-00 XMB-07 OPIC-12

LAB-06 SIL-01 TAR-02 H-03 PA-04 PRS-01 USIE-00 SSO-00

NSCE-00 INRE-00 /170 R

DRAFTED BY ARA/BC/B:JRBINNS:BDT

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EB/TPD:FWANNING

L/ARA:DGANTZ (SUBS)

USDA:RRSTANSBERRY (SUBS)

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FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ IMMEDIATE

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E.O. 11652:N/A

TAGS: ETRD, BL

SUBJECT: BOLIVIA'S 1974 SUGAR QUOTA

REF: LA PAZ 6522

1. FYI: SECTION 202 (D)(3) OF THE SUGAR ACT PROVIDES THAT NO COUNTRY (EXCEPT IRELAND) WHOSE SUGAR IMPORTS EQUAL OR EXCEED ITS TOTAL EXPORTS TO NON-U.S. MARKETS OVER A 24 MONTH PERIOD ENDING JUNE 30 OF ANY YEAR MAY RECEIVE A QUOTA FOR THE YEAR FOLLOWING SUCH PERIOD. BOLIVIA IS CLEARLY A NET IMPORTER FOR THE JULY 1, 1971-JUNE 30, 1973 PERIOD (LA PAZ 6470). UNDER A STRICT INTERPRETATION OF THE LAW BOLIVIA WOULD NOT BE ENTITLED TO A 1974 QUOTA.

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2. LAST YEAR, WHEN THE SAME SECTION APPLIED TO BOLIVIA,

USDA ESTABLISHED A QUOTA FOR BOLIVIA ON THE BASIS THAT THE
FORCE MAJEURE CLAUSE OF SECTION 202 (D)(4) SUPERCEDED
SECTION 202 (D)(3) BECAUSE THE SAME SITUATION THAT CAUSED
NON-FULFILLMENT OF BOLIVIA'S 1972 QUOTA ALSO CAUSED BOLIVIA
TO BECOME A NET IMPORTER.

3. AS BOLIVIA WILL FULFILL ITS 1973 QUOTA, SECTION 202(D)
(4) NO LONGER APPLIES. IT HAS BEEN ARGUED, HOWEVER, THAT
THE INTERPRETATION ADOPTED LAST YEAR SHOULD ALSO BE
APPLIED THIS YEAR, SINCE BOLIVIA'S NET IMPORTER SITUATION
RESULTS FROM THE SAME CIRCUMSTANCES WHICH CAUSED USDA TO
MAKE AN EXCEPTION FOR THE 1973 QUOTA. FINAL DECISION
EXPECTED SHORTLY. END FYI. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SUGAR, IMPORT QUOTAS, IMPORT CONTROLS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE214398
Document Source: CORE
Document Unique ID: 00
Drafter: JRBINNS:BDT
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973102/aaaaaatq.tel
Line Count: 74
Locator: TEXT ON-LINE
Office: ORIGIN ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: LA PAZ 6522
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 16 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16-Jan-2002 by martinjw>; APPROVED <07 MAR 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BOLIVIA'S 1974 SUGAR QUOTA
TAGS: ETRD, BL, US
To: LA PAZ
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005